

(6) ANY WORD, STATEMENT, OR OTHER INFORMATION REQUIRED BY, OR UNDER AUTHORITY OF, THIS SUBTITLE TO APPEAR ON THE LABEL OR OTHER LABELING IS NOT PLACED PROMINENTLY AND CONSPICUOUSLY ON IT, AS COMPARED WITH OTHER WORDS, STATEMENTS, DESIGNS, OR DEVICES IN THE LABELING, AND IN TERMS THAT DO NOT RENDER IT LIKELY TO BE READ AND UNDERSTOOD BY THE ORDINARY INDIVIDUAL UNDER CUSTOMARY CONDITIONS OF PURCHASE AND USE;

(7) IT PURPORTS TO BE OR IS REPRESENTED AS A FOOD FOR WHICH A DEFINITION AND STANDARD OF IDENTITY OR COMPOSITION HAS BEEN PRESCRIBED BY DEPARTMENTAL RULES AND REGULATIONS UNDER §4-209, UNLESS (I) IT CONFORMS TO THE DEFINITION AND STANDARD, (II) ITS LABEL BEARS THE NAME OF THE FOOD SPECIFIED IN THE DEFINITION AND STANDARD AND AS MAY BE REQUIRED BY THE RULES AND REGULATIONS, AND (III) ITS LABEL BEARS THE COMMON NAMES OF OPTIONAL INGREDIENTS, OTHER THAN SPICES, FLAVORING, AND COLORING, PRESENT IN THE FOOD AS REQUIRED BY RULES AND REGULATIONS;

(8) IT PURPORTS TO BE OR IS REPRESENTED AS A FOOD FOR WHICH A STANDARD OF FILL OF CONTAINER IS PRESCRIBED BY DEPARTMENTAL RULES AND REGULATIONS UNDER §4-209, AND IT FALLS BELOW THE STANDARD OF FILL OF CONTAINER APPLICABLE TO IT, UNLESS ITS LABEL BEARS A STATEMENT THAT IT FALLS BELOW THE STANDARD, IN THE MANNER AND FORM THE RULES AND REGULATIONS SPECIFY;

(9) IT IS NOT SUBJECT TO THE PROVISIONS OF PARAGRAPH (7), UNLESS ITS LABEL BEARS (I) THE COMMON OR USUAL NAME OF THE FOOD, IF ANY, AND (II) THE COMMON OR USUAL NAME OF EACH INGREDIENT. IF IT IS FABRICATED FROM MORE THAN ONE INGREDIENT, THE SECRETARY MAY PERMIT SPICES, FLAVORINGS, AND COLORINGS TO BE DESIGNATED AS SPICES, FLAVORINGS, AND COLORINGS WITHOUT REQUIRING THE NAMING OF EACH. IN ADDITION, THE SECRETARY MAY ESTABLISH EXEMPTIONS BY RULES AND REGULATIONS UNDER THIS SUBTITLE TO THE EXTENT THAT COMPLIANCE WITH THE REQUIREMENTS OF CLAUSE (II) OF THIS PARAGRAPH IS NOT FEASIBLE OR RESULTS IN DECEPTION OR UNFAIR COMPETITION;

(10) IT PURPORTS TO BE FOR SPECIAL DIETARY USES, UNLESS ITS LABEL BEARS INFORMATION CONCERNING ITS VITAMIN, MINERAL, AND OTHER DIETARY PROPERTIES WHICH THE SECRETARY, AFTER CONSULTATION WITH THE SECRETARY OF AGRICULTURE OF THE UNITED STATES, DETERMINES TO BE NECESSARY BY RULE OR REGULATION TO INFORM PURCHASERS OF ITS VALUE FOR THESE USES;